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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,091	12/30/2003	Alex P. Hirsbrunner	CE10720N/10-184	6991
23400	7590	04/28/2005	EXAMINER	
POSZ LAW GROUP, PLC 12040 SOUTH LAKES DRIVE SUITE 101 RESTON, VA 20191			AFSHAR, KAMRAN	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 04/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/748,091

Applicant(s)

HIRSBRUNNER ET AL

Examiner

Kamran Afshar, 571-272-7796

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 11-17 and 22-24 is/are rejected.
- 7) ☒ Claim(s) 7-10, 18-21 and 25-27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/30/03, 2/7/04, 3/21/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6, 12-14, 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Boettger (U.S. 6,625,132 B1).

With respect to claims 1, 12, Boettger discloses a method / a wireless communication unit (See e.g. 650 of Fig. 6B) comprising: a transceiver (See e.g. 652, 651 of Fig. 6B) suitable to support an air interface with a first wireless communication network (See e.g. 102, 112 of Fig 1, System A or System B) and with a second wireless communication network (See e.g. 106, 114 of Fig. 1, System A or System B); a user interface operable to initiate a call to a number of a target unit (See e.g. 660 of Fig. 6B); and a controller, coupled to the transceiver and the user interface (See e.g. 658 of Fig. 6B, i.e. number of analog system, number of BTS, etc.), and operable, responsive to the call-initiation and when the wireless communication unit is operating in (See e.g. moving from 122 to 124 of Fig. 1) the second wireless communication network (See e.g. 106, 114 of Fig. 1, System A or System B); a user interface operable to initiate a call to a number of a target unit (See e.g. 660 of Fig. 6B), to selectively hairpin (e.g. routing, rerouting, redirecting, directing, selecting, reselecting, handin of a call, etc.) the call through the first communication network (See e.g. 102, 112 of Fig 1, CDMA System, System A or System B, Co. 11, Lines 1-9 & 24-35, Co. 17, Lines 24-43).

Regarding claim 2, Boettger discloses the controller, to selectively hairpin (e.g. routing, rerouting, redirecting, directing, selecting, reselecting, etc.), is: further operable to determine when the call is likely to be handed into (i.e. handoff, handover, etc.) the first communication network; and further

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operable, if the call is likely to be handed into the first communication network, to hairpin the call through the first communication network (See e.g. Co. 5, Lines 45-55, Co. 6, Lines 25-29 & 40-44).

Regarding claims 3, 14, Boettger discloses to hairpin the call (e.g. routing, rerouting, redirecting, directing, selecting, reselecting, handoff / handed into a call, etc.) through the first communication network, is further operable with the transceiver to call a hairpin number terminating at the first communication network and transfer information corresponding to the number of the target unit to the first communication network (See e.g. Co. 5, Lines 45-55, Co. 6, Lines 25-29 & 40-44).

Regarding claims 3, 14, Boettger discloses the automatically selectively hairpinning (e.g. routing, rerouting, redirecting, directing, selecting, reselecting, etc.) the call further comprises calling a hairpin number terminating at the first communication network and transfer information (i.e. handoff, handover, etc.) corresponding to the number of the target unit (i.e. number of analog system, number of BTS, etc.) to the first communication network (See e.g. Co. 5, Lines 45-55, Co. 6, Lines 25-29 & 40-44).

Regarding claims 6, 13 Boettger discloses the determining when the call is likely to be handed into (i.e. handoff, handover, etc.) the first communication network further comprises determining one of a location of the wireless (i.e. Dead zone, positions 122 and 124 of Fig. 1) communication unit and availability of the first communication network (See e.g. Co. 5, Lines 45-55, Co. 6, Lines 25-29 & 40-44).

With respect to claim 24, Boettger discloses a network controller operable to facilitate hairpinning (e.g. routing, rerouting, redirecting, directing, selecting, reselecting, handin of a call, etc.) calls from a wireless communication unit, the network controller comprising: a switching function coupled to a local area network and a public switched telephone system (See e.g. Co. 4, Line 37 - Co. 5, Line 17); and a controller, coupled to the switching function and comprising an associated memory, operable to provide hairpin information to the wireless communication unit (See e.g. Co. 10, Line 44 - Co. 11, Line 35, Figs 6A-6B).

3. Claims 1-6, 11-17, 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Sagi (U.S. Pub. No.: 2004/0264410 A1)

With respect to claims 1, 12, Sagi discloses a method / a wireless communication unit (See e.g.

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650 of Fig. 6B) comprising: a transceiver (See e.g. 10, 18, 24, 26 of Figs. 1-2) suitable to support an air interface (See e.g. 201-204, 207-208 of Fig. 2) with a first wireless communication network (See e.g. 14, 24, 13s of Fig. 1) and with a second wireless communication network (See e.g. 14, 24, 13s of Fig. 1); a user interface operable to initiate a call to a number of a target unit (See e.g. 215, 229, 231 of Fig. 2); and a controller, coupled to the transceiver and the user interface (See 205 of Fig. 2), and operable, responsive to the call-initiation and when the wireless communication unit is operating in the second wireless communication network (See e.g. Page 2, Paragraph [0023]); a user interface operable to initiate a call to a number of a target unit (See e.g. Page 4, Paragraph [0038]), to selectively hairpin (e.g. routing, rerouting, redirecting, directing, selecting, reselecting, handin of a call, etc.) the call through the first communication network (See e.g. Page 4, Paragraph [0039]).

Regarding claim 2, Sagi discloses the controller, to selectively hairpin (e.g. routing, rerouting, redirecting, directing, selecting, reselecting, etc.), is: further operable to determine when the call is likely to be handed into (i.e. handoff, handover, etc.) the first communication network; and further operable, if the call is likely to be handed into the first communication network, to hairpin the call through the first communication network (See e.g. WAN, WLAN, Page 4, Paragraphs [0038]-[0039]).

Regarding claims 3, 14, Sagi discloses to hairpin the call through the first communication network (See e.g. WLAN, tear down, Page 6, Paragraph 64), is further operable with the transceiver to call a hairpin number terminating at the first communication network and transfer information corresponding to the number of the target unit to the first communication network (See e.g. Pages 6-7, Paragraph [0065]).

Regarding claims 4, 15, Sagi discloses the hairpin number is one of: a toll free number, stored in a memory associated with the controller, received from the first communication network, and a number that terminates on a proximate 5 communication network (See e.g. memory 223, 229, 231, Page 3, Paragraph [0026]).

Regarding claims 5, 16, Sagi discloses the controller is further operable to call the hairpin number and transfer the information in a manner that is transparent to a user of the wireless communication unit (See e.g. display or playing notification, Page 7, Paragraph [0073]).

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Regarding claims 6, 13, 17, Sagi discloses the determining when the call is likely to be handed into (i.e. handoff, handover, etc.) the first communication network further comprises determining one of a location of the wireless (See e.g. Page 6, Paragraph [0061]) communication unit and availability of the first communication network (See e.g. WAN, WLAN, Page 4, Paragraphs [0038]-[0039]).

Regarding claims 11, 22, Sagi discloses the second communication network is a wide area network, the first communication network is a wireless local area network, and the number of the target unit corresponds to a number other than a number terminating at the first communication network (See e.g. Page 6, Paragraph [0064] – Page 7, Paragraph [0065]).

Regarding claim 23, Sagi discloses determining when the call is a long distance call and selectively hairpinning the call through the first communication network when the call is a long distance call; and determining when the call is a business related call and selectively hairpinning the call through the first communication network when the call is a business related call (See e.g. Pages 7-8, paragraph [0075]).

With respect to claim 24, Sagi discloses a network controller operable (See e.g. 12 of Figs. 1, 3, 305 of Fig. 3) to facilitate hairpinning (e.g. routing, rerouting, redirecting, directing, selecting, reselecting, handoff / handin of a call, etc.) calls from a wireless communication unit the network controller (See e.g. 12 of Figs. 1, 3, 305 of Fig. 3) comprising: a switching function coupled to a local area network and a public switched telephone system (See e.g. 305, PSTN 20, Page 4, Paragraph [0033]); and a controller, coupled to the switching function and comprising an associated memory (See e.g. Page 4, Paragraph [0042]), operable to provide hairpin information to the wireless communication unit (See e.g. 205, 223, 225 of Fig. 2, Page 2, Paragraph [0025] – Page 3, Paragraph [0026]).

***Allowable Subject Matter***

4. Claims 7-10, 18-21, 25-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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With respect to claims 7, 18, the prior art of record fails to disclose or render obvious that the controller is further operable to compare the location of the wireless communication unit to location information corresponding to the first communication network and when the comparison is favorable to scan for the first communication network.

With respect to claims 9, 20 the prior art of record fails to disclose or render obvious that the controller, to determine the location of the wireless communication unit, is further operable to determine one of geographical location information and information corresponding to the second communication network.

With respect to claim 10, the prior art of record fails to disclose or render obvious that the controller, to determine availability of the first communication network, is further operable to learn location information corresponding to the first communication network.

With respect to claim 21, the prior art of record fails to disclose or render obvious that the determining availability of the first communication network further comprises learning location information corresponding to the first communication network.

With respect to claim 25, the prior art of record fails to disclose or render obvious that the controller provides the hairpin information to the wireless communication unit when one of: the wireless communication unit requests the hairpin information; and when the wireless communication unit is associated with the local area network.

With respect to claim 26, the prior art of record fails to disclose or render obvious that the hairpin information comprises one of: a hairpin number; and information for use by the wireless communication unit in determining whether a call to be initiated by the wireless communication unit should be hairpinned.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Zimmerman (U.S. Patent 6, 526, 131 B1), which discloses Initiation of communication between network service system and customer-premises equipment.

b) Whinnett (U.S. patent 6, 122, 270), which discloses Communication System And A Method Therefor.

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Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (571) 272-7796. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, **Emmanuel Moise** can be reached @ (571) 272-3865. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Kamran Afshar**



**EMMANUEL L. MOISE**  
SUPERVISORY PATENT EXAMINER